



ENTERED
10/26/2010

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

**MARHABA PARTNERS LIMITED
PARTNERSHIP**

Debtor.

§
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§

Case No. 10-30227

(Chapter 11)

**AGREED ORDER REGARDING TO MOTION FOR RELIEF
FROM THE AUTOMATIC STAY FILED BY CITY BANK
(SPRING TRACE RETAIL PROPERTY)**
[This pleading relates to Docket No. 130]

Came on for consideration City Bank's Motion for Relief from Automatic Stay (the "Motion") [Docket No. ____], and the Court, having been advised that City Bank and the Debtor have reached an agreement, finds that the Motion should be granted as set forth in this Order. Debtor and City Bank agree as follows:

1. On or about November 25, 2009, Debtor executed a Promissory Note numbered ****0036 (the "Note") in the original principal amount of \$8,433,111.00 in favor of City Bank. The Note accrues interest at the non-default rate of 4.5% per annum, and the default rate of 18% per annum.
2. The purpose of the Note was to re-finance several previous loans which had been used to secure the purchase price of certain real estate in Harris County, Texas commonly known as the Spring Trace Retail development (for purposes herein referred to as the "Property"), legally described in Attachment A hereto.
3. As security for the Note, Debtor executed a Deed of Trust, Security Agreement, Assignment of Leases and Rentals and Financing Statement (the "Deed of Trust") on November 25, 2009 in favor of City Bank as beneficiary.

4. The unpaid principal and interest due on the Note as of January 5, 2010, which is the date Debtor filed its bankruptcy petition, was \$8,387,564.94. The Debtor is in default under the terms of the Note. At the non-default rate of interest, the Note is accruing interest at the per diem rate of \$1,101.18.
5. The value of the Property exceeds the amount owed to City Bank on the Note. The Property is cross pledged to other obligations from the Debtor to City Bank. The additional obligations from the Debtor to City Bank which are secured by the Note include, but are not limited to, Promissory Note ***0032 dated June 29, 2009 in the original principal amount of \$920,000.00, Promissory Note ***0023 dated April 24, 2008 (in the original principal amount of \$10,850,000.00 and Promissory Note ***0038 dated November 2, 2009 in the original principal amount of \$231,246.93 (collectively these three promissory notes, and all amounts due thereunder are referred to as the "Additional Indebtedness").
6. Marhaba filed a Plan of Reorganization (the "Plan") on or about May 15, 2010, as amended by that certain First Amended Plan of Reorganization filed on or about August 9, 2010 (the "Amended Plan"). The Amended Plan provides for the sale, disposition, or refinance of the Property not later than December 31, 2010, which sale, disposition or refinance of the Property must be closed on or before such date so that City Bank is paid, as provided below, before such date
7. City Bank reserves all rights to object to the Amended Plan.
8. This Agreed Order does not affect City Bank's claims with respect to its other collateral, nor does it restrict City Bank's rights to file a Motion to Lift the Automatic Stay on any of its other collateral.

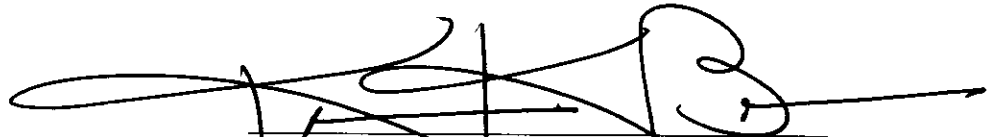
9. This Agreed Order does not prohibit or require City Bank to foreclose on the Deed of Trust, but City Bank may exercise any remedy it has under state law with respect to the property, including foreclosing the Property under prior deeds of trust or other documents that were preserved in City Bank's various re-financings of the underlying debt against the Property.
10. Nothing herein prohibits City Bank's right to claim under its cross-collateralization language that any excess proceeds from any sale, refinance or disposition of the Property over and above the amount of the Note must be applied to its Additional Indebtedness.

Therefore, based on the foregoing agreement, it is

ORDERED that if the Amended Plan is not confirmed or the Property is not sold pursuant to order of this Court or the property is not re-financed or for any other reason City Bank is not at least paid in full on the Note (as provided in the Agreement above) by December 31, 2010 at 11:59 p.m. CST, subject to extension by the written agreement of the parties, then the automatic stay shall lift without further order of the Court so as to allow City Bank to pursue all remedies available to it under applicable non-bankruptcy law with regards to the Property. Accordingly, the Court hereby ORDERS that the automatic stay which was entered into pursuant to 11 U.S.C. § 362 is hereby automatically lifted and annulled as it pertains to the Property listed above in any event on December 31, 2010 at 11:59 p.m. CST, unless the Note and all amounts due thereunder are paid in full by December 31, 2010 at 11:59 p.m. CST, and City Bank is hereby authorized after that time to exercise any and all remedies afforded it pursuant to the terms of its loan documentation that was executed by and between Debtor and City Bank, including but not limited to allowing City Bank to post the real estate collateral for non-judicial foreclosure and to

conduct a non-judicial foreclosure sale of such property, either under the Deed of Trust or under other loan documents that continue to secure City Bank's loan, to repossess and sell any personal property Collateral, and otherwise deal with and dispose of the Property pursuant to state law, in order that the sale proceeds may be applied to the debt owed to City Bank. In the event that there is a deficiency after all proceeds have been applied, City Bank is authorized to file an unsecured proof of claim for the deficiency balance, if any.

OCT 26 2010



HONORABLE KAREN K. BROWN
UNITED STATES BANKRUPTCY JUDGE

Agreed to:

/s/ Elizabeth C. Freeman
PORTER & HEDGES, LLP
John F. Higgins
State Bar No. 09597500
Elizabeth C. Freeman
State Bar No. 24009222
James Mathew Vaughn
State Bar No. 24028088
1000 Main, 36th Floor
Houston, Texas 77002
(713) 226-6000
(713) 226-6248 (Facsimile)

COUNSEL FOR MARHABA PARTNERS LIMITED PARTNERSHIP

/s/ M. Andrew Stewart
MULLIN HOARD & BROWN, LLP
David R. Langston, SBN: 11923800
M. Andrew Stewart, SBN: 24037554
P.O. Box 2585
Lubbock, Texas 79408-2585
Tel: (806) 765-7491
Fax: (806) 765-0553 (Facsimile)

COUNSEL FOR CITY BANK

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METES and BOUNDS DESCRIPTION
TRACT 1

Of 55.183 Acres or 2,403,775 Square Feet of land being part of that certain 60.431 Acre tract of land conveyed from MARHABA PARTNERS LIMITED PARTNERSHIP to LASCO SPRING TRACE RETAIL PARTNERS, LTD. by a deed dated January 27, 2005 and recorded under Clerk's File No. Y220409, of the Deed Records of Harris County, Texas (H.C.D.R.), and being out of Block 1 of Restricted Reserve "A" of SPRING TRACE CENTER, according to the map or plat thereof recorded in Volume 606 Page 125, of the Map Records of Harris County, Texas (H.C.M.R.), lying in the VICTOR BLANCO FIVE LEAGUE GRANT, Abstract No. 2, near Humble, in Harris County, Texas, said 55.183 Acre tract is more particularly described by metes and bounds as follows:

BEGINNING at the Northeast corner of said 60.431 Acre tract of land, the Northwest corner of that certain 5.063 acre tract of land (Parcel 107 for the purpose of widening of BELTWAY 8) described in a deed recorded under Clerk's File No. L302825, H.C.D.R., the most Northerly North corner of a 10 foot Southwestern Bell Easement described in a deed recorded under Volume 5462, Page 439, H.C.D.R., the Southeast Right-of-Way of BEAUMONT, SOUR LAKE & WESTERN RAILROAD described in a deed recorded under Volume 195, Page 54, H.C.D.R., same being the Northeast corner of Block 1 of Restricted Reserve "A" of said SPRING TRACE CENTER, from which a TXDOT with a brass cap was found South, 0.38 feet, and East 0.28 feet;

THENCE South 50 deg. 29 min. 35 sec. East, along the Southwest line of said 5.063 acre tract of land, a distance of 250.04 feet to a point for corner, from which a TXDOT with a brass cap was found South, 0.24 feet;

THENCE South 51 deg. 37 min. 42 sec. East, along the Southwest line of said 5.063 acre tract of land, a distance of 259.06 feet to a point for corner, from which a TXDOT with a brass cap was found South, 0.25 feet, and East, 0.10 feet;

THENCE South 58 deg. 50 min. 10 sec. East, along the Southwest line of said 5.063 acre tract of land, at a distance of 42.36 feet pass the Northwest cutback corner of PROPOSED SUMMER CREEK TRACE, (a 80 foot R.O.W.), from which a 5/8 inch iron rod with a cap was found North, 0.10 feet, and East, 0.15 feet, continuing along the Southwest line of said 5.063 acre tract of land, at a distance of 173.69 feet pass the Northeast cutback corner of said PROPOSED SUMMER CREEK TRACE, from which a 5/8 inch iron rod with a cap was found North, 0.15 feet, and East, 0.09 feet, continuing along the Southwest line of said 5.063 acre tract of land, in all a distance of 673.06 feet to a 5/8 inch iron rod found at a point for corner, from which a 3/8 inch iron rod was found North, 4.80 feet, and East, 7.76 feet;

THENCE Southeasterly, along the Southwest line of said 5.063 acre tract of land, a distance of 273.87 feet along the arc of a curve to the right, said curve having a central angle of 11 deg. 03 min. 33 sec., radius of 1418.89 feet, a chord which bears South 53 deg. 18 min. 24 sec. East, and a chord distance 273.45 feet to a point for corner, from which a TXDOT with a brass cap was found North, 0.22 feet;

THENCE, Southeasterly, along the Southwest line of said 5.063 acre tract of land, a distance of 779.40 feet along the arc of a curve to the right, said curve having a central angle of 16 deg. 45 min. 29 sec, radius of 2664.79 feet, a chord which bears South 39 deg. 23 min. 53 sec. East, and a chord distance 776.63 feet to a point for corner, from which a Mag Nail was found East, 0.12 feet;

THENCE South 60 deg. 14 min. 59 sec. West, along the North line of that certain 2.818 Acre tract of land conveyed from LASCO SPRING TRACE RETAIL PARTNERS, LTD. to FALL CREEK FITNESS PARTNERS, LTD. by a deed dated March 2, 2009 and recorded under Clerk's File No. 20090141895, H.C.D.R., a distance of 275.65 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Southeasterly, along the West line of said 2.818 Acre tract of land, same being the East line of a 25 foot Sanitary Sewer Easement by a deed recorded under Clerk's File No. 20070042789, H.C.D.R., at a distance of 417.28 feet pass the Northwest corner of that certain 1.019 Acre tract of land conveyed from LASCO SPRING TRACE RETAIL PARTNERS, LTD. to CSB SPRING TRACE PARTNERS, LTD. by a deed dated April 24, 2008 and recorded under Clerk's File No. 20080279738, H.C.D.R., continuing along the West line of said 1.019 Acre

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tract of land, same being the East line of said 25 foot Sanitary Sewer Easement, at a distance of 571.41 feet pass the Northwest corner of that certain 1.411 Acre tract of land conveyed from LASCO SPRING TRACE RETAIL PARTNERS, LTD. to BELTWAY 8 WESTLAKE HOLDINGS, LP by a deed dated April 3, 2007 and recorded under Clerk's File No. 20070199165, H.C.D.R., from which a 1/2 inch iron rod with a cap was found West, 0.13 feet, continuing along the West line of said 1.411 Acre tract of land, same being the East line of said 25 foot Sanitary Sewer Easement, in all a distance of 783.08 feet along the arc of a curve to the right, said curve having a central angle of 19 deg. 09 min. 30 sec., radius of 2341.92 feet, a chord which bears South 21 deg. 36 min. 58 sec. East, and a chord distance 779.44 feet to a "X" in concrete found at a point for corner;

THENCE, Southwesterly, along the Northwest Right-of-Way of WEST LAKE HOUSTON PARKWAY (a variable R.O.W. at this point, Volume 624, Page 60, H.C.M.R.), a distance of 434.60 feet along the arc of a curve to the left, said curve having a central angle of 19 deg. 45 min. 44 sec., radius of 1260.02 feet, a chord which bears South 68 deg. 01 min. 20 sec. West, and a chord distance 432.46 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE South 58 deg. 08 min. 28 sec. West, along the Northwest Right-of-Way of said WEST LAKE HOUSTON PARKWAY, a distance of 166.21 feet to a 5/8 inch iron rod with a cap found at point for corner;

THENCE, Northwesterly, along the West line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, same being the East line of a 8.878 Acre tract of land being part of the remainder of that certain 1056.585 Acre tract of land conveyed from MEMORIAL HERMANN HOSPITAL SYSTEM to MARHABA PARTNERS LIMITED PARTNERSHIP by a deed dated September 10, 2003 and recorded under Clerk's File No. X012162, a distance of 44.01 feet along the arc of a curve to the left, said curve having a central angle of 01 deg. 21 min. 16 sec., radius of 1861.77 feet, a chord which bears North 07 deg. 06 min. 15 sec. West, and a chord distance 44.01 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Northwesterly, along the West line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, same being the East line of said 8.878 Acre tract of land, a distance of 151.58 feet along the arc of a curve to the left, said curve having a central angle of 04 deg. 03 min. 06 sec., radius of 2143.52 feet, a chord which bears North 10 deg. 06 min. 05 sec. West, and a chord distance 151.55 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Northwesterly, along the West line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, same being the East line of said 8.878 Acre tract of land, a distance of 195.65 feet along the arc of a curve to the left, said curve having a central angle of 05 deg. 41 min. 27 sec., radius of 1969.78 feet, a chord which bears North 17 deg. 52 min. 08 sec. West, and a chord distance 195.56 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE North 49 deg. 55 min. 18 sec. West, along the Southwest line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, same being the Northeast line of said 8.878 Acre tract of land, at a distance of 688.79 feet pass a 5/8 inch iron rod with a cap found at the Northeast corner of a 3.448 Acre tract of land conveyed to HARRIS COUNTY MUD 402 by a deed recorded in Clerk's File No. 20080595790, H.C.D.R., continuing along the Southwest line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, same being the Northeast line of said 3.448 Acre tract of land, at a distance of 943.92 feet pass the most Northerly Southeast corner of that certain 67.200 Acre tract of land conveyed from MARHABA PARTNERS LIMITED PARTNERSHIP to HUMBLE INDEPENDENT SCHOOL DISTRICT by a deed dated September 21, 2005 and recorded under Clerk's File No. Y780911, H.C.D.R., same being the most Northerly Southeast corner of Block 1 of Restricted Reserve "A" of HUMBLE ISD HIGH SCHOOL No 6, according to the map or plat thereof recorded in Volume 621 Page 248, H.C.M.R., from which a 5/8 inch iron rod with a cap was found East, 0.15 feet, continuing along the Southwest line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, the Northeast line of said 67.200 Acre tract of land, same being the Northeast line of Block 1 of Restricted Reserve "A" of said HUMBLE ISD HIGH SCHOOL No 6, in all a distance of 1008.02 feet to a point for corner, from which a 5/8 inch iron rod with a cap was found North, 0.08 feet;

THENCE North 40 deg. 04 min. 42 sec. East, along the Northwest line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, the Southeast line of Block 1 of Restricted Reserve "A" of said HUMBLE ISD HIGH

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SCHOOL No 6, same being the Southeast line of said 67.200 Acre tract of land, a distance of 100.00 feet to a point for corner, from which a 5/8-inch iron rod with a cap was found East, 0.08 feet;

THENCE North 49 deg. 55 min. 18 sec. West, along the Southwest line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER, the Northeast line of Block 1 of Restricted Reserve "A" of said HUMBLE ISD HIGH SCHOOL No 6, same being the Northeast line of said 67.200 Acre tract of land, a distance of 1224.99 feet to a point for corner, from which a 5/8 inch iron rod was found South, 0.18 feet, and East, 0.37 feet;

THENCE North 40 deg. 04 min. 42 sec. East, along the Northwest line of said 60.431 Acre tract of land, the Northwest line of Block 1 Restricted Reserve "A" of said SPRING TRACE CENTER the Southeast Right-of-Way of said BEAUMONT, SOUR LAKE & WESTERN RAILROAD, same being the Northwest line of said 10 foot Southwestern Bell Easement, a distance of 848.82 feet to the POINT OF BEGINNING, containing within these calls 55.183 Acres or 2,403,775 Square Feet of land, as depicted on a plat prepared by Donald K. Hall, R.P.L.S. No. 4070, dated August 17, 2009, and revised October 20, 2009.

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METES and BOUNDS DESCRIPTION
TRACT 2

~~Of 5.634 Acres or 245,405 Square Feet of land being part of that certain 8.386 Acre tract of land conveyed from MARHABA PARTNERS LIMITED PARTNERSHIP to LASCO SPRING TRACE RETAIL PARTNERS, LTD. by a deed dated January 27, 2005 and recorded under Clerk's File No. Y220409, of the Deed Records of Harris County, Texas (H.C.D.R.), and being out of Restricted Reserve "B" of SPRING TRACE CENTER, according to the map or plat thereof recorded in Volume 606 Page 125, of the Map Records of Harris County, Texas, lying in the VICTOR BLANCO FIVE LEAGUE GRANT, Abstract No. 2, near Humble, in Harris County, Texas, said 5.634 Acre tract is more particularly described by metes and bounds as follows:~~

BEGINNING at a 5/8 inch iron rod with a cap found at the Southwest corner of said 8.386 Acre tract of land, the Southwest corner of Restricted Reserve "B" of said SPRING TRACE CENTER, the Southeast corner of a 0.848 Acre tract of land being part of the remainder of that certain 1056.585 Acre tract of land conveyed from MEMORIAL HERMANN HOSPITAL SYSTEM to MARHABA PARTNERS LIMITED PARTNERSHIP by a deed dated September 10, 2003 and recorded under Clerk's File No. X012162, H.C.D.R., same being the North line of that certain 281.0977 Acre tract of land conveyed from SPRING TRACE ASSOCIATES LIMITED to MARHABA PARTNERS LIMITED PARTNERSHIP by a deed recorded under Clerk's File No. Y879036, H.C.D.R.;

THENCE, Northerly, along the West line of Restricted Reserve "B" of said SPRING TRACE CENTER, same being the East line of said 0.848 Acre tract of land, a distance of 239.81 feet along the arc of a curve to the left, said curve having a central angle of 07 deg. 22 min. 49 sec., radius of 1861.77 feet, a chord which bears North 00 deg. 44 min. 48 sec. East, and a chord distance 239.64 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Northeasterly, along the South Right-of-Way of WEST LAKE HOUSTON PARKWAY (100 foot R.O.W. at this point, Volume 624, Page 60, H.C.M.R.), same being the North line of Restricted Reserve "B" of said SPRING TRACE CENTER, distance of 141.37 feet along the arc of a curve to the right, said curve having a central angle of 04 deg. 09 min. 14 sec., radius of 1950.00 feet, a chord which bears North 58 deg. 41 min. 57 sec. East, and a chord distance 141.34 feet to a Mag Nail in concrete found at a point for corner;

THENCE, Northeasterly, along the South Right-of-Way of the said WEST LAKE HOUSTON PARKWAY (variable foot R.O.W. at this point), same being the North line of Restricted Reserve "B" of said SPRING TRACE CENTER, a distance of 479.44 feet along the arc of a curve to the right, said curve having a central angle of 18 deg. 18 min. 47 sec., radius of 1500.00 feet, a chord which bears North 69 deg. 55 min. 57 sec. East, and a chord distance 477.40 feet to a 5/8 inch iron rod found at a point for corner;

THENCE North 79 deg. 05 min. 21 sec. East, along the South Right-of-Way of the said WEST LAKE HOUSTON PARKWAY (variable foot R.O.W. at this point), same being the North line of Restricted Reserve "B" of said SPRING TRACE CENTER, a distance of 32.61 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Southerly, along the West line of that certain 2.752 Acre tract of land described as a RELEASE OF LIEN under Clerk's File No. 20060052116, H.C.D.R., a distance of 500.98 feet along the arc of a curve to the right, said curve having a central angle of 11 deg. 25 min. 03 sec., radius of 2514.01 feet, a chord which bears South 02 deg. 04 min. 00 sec. East, and a chord distance 500.15 feet to a 5/8 inch iron rod with a cap found at a point for corner;

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THENCE North 88 deg. 27 min. 16 sec. West, along the South line of Restricted Reserve "B" of said SPRING TRACE CENTER, same being the North line of said 281.0977 Acre tract of land, a distance of 622.59 feet to the POINT OF BEGINNING, containing within these calls 5.634 Acres or 245,405 Square Feet of land, as depicted on a plat prepared by Donald K. Hall, R.P.L.S. No. 4070, dated August 17, 2009, and revised October 20, 2009.

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METES and BOUNDS DESCRIPTION
TRACT 3

Of 0.848 Acres or 36,960 Square Feet of land being part of the remainder of that certain 1056.585 Acre tract of land conveyed from MEMORIAL HERMANN HOSPITAL SYSTEM to MARHABA PARTNERS LIMITED PARTNERSHIP by a deed dated September 10, 2003 and recorded under Clerk's File No. X012162, of the Deed Records of Harris County, Texas (H.C.D.R.), lying in the VICTOR BLANCO FIVE LEAGUE GRANT Survey, Abstract 2, in Houston, Harris County, Texas, said 0.848 Acre tract is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap found at the Southwest corner of that certain 8.386 Acre tract of land conveyed from MARHABA PARTNERS LIMITED PARTNERSHIP to LASCO SPRING TRACE RETAIL PARTNERS, LTD. by a deed dated January 27, 2005 and recorded under Clerk's File No. Y220409, H.C.D.R., the Southwest corner of Restricted Reserve "B" of SPRING TRACE CENTER, according to the map or plat thereof recorded in Volume 606 Page 125, of the Map Records of Harris County, Texas, the same being the North line of that certain 281.0977 Acre tract of land conveyed from SPRING TRACE ASSOCIATES LIMITED to MARHABA PARTNERS LIMITED PARTNERSHIP by a deed recorded under Clerk's File No. Y879036, H.C.D.R.;

THENCE North 88 deg. 27 min. 16 sec. West, along the South line of the remainder of said 1056.585 Acre tract of land, same being the North line of said 281.0977 Acre tract of land, a distance of 285.23 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Northeasterly, along the Southeast Right-of-Way of WEST LAKE HOUSTON PARKWAY (a 100 foot R.O.W. at this point), a distance of 370.53 feet along the arc of a curve to the right, said curve having a central angle of 10 deg. 53 min. 13 sec., a radius of 1950.00 feet, a chord which bears North 51 deg. 10 min. 44 sec. East, and a chord distance 369.97 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Southwesterly, along the West line of said 8.386 Acre tract of land, the West line of Restricted Reserve "B" of said SPRING TRACE CENTER, a distance of 239.81 feet along the arc of a curve to the right, said curve having a central angle of 07 deg. 22 min. 49 sec., a radius of 1861.77 feet, a chord which bears South 00 deg. 44 min. 48 sec. West, and a chord distance 239.64 feet to the POINT OF BEGINNING, containing within these calls 0.848 Acres or 36,960 Square Feet of land, as depicted on a plat prepared by Donald K. Hall, R.P.L.S. No. 4070, dated August 30, 2007.

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METES and BOUNDS DESCRIPTION
TRACT 4

Of 8.878 Acres or 386,740 Square Feet of land being part of the remainder of that certain 1056.585 Acre tract of land conveyed from MEMORIAL HERMANN HOSPITAL SYSTEM to MARHABA PARTNERS LIMITED PARTNERSHIP by a deed dated September 10, 2003 and recorded under Clerk's File No. X012162, of the Deed Records of Harris County, Texas (H.C.D.R.), lying in the VICTOR BLANCO FIVE LEAGUE GRANT Survey, Abstract 2, in Houston, Harris County, Texas, said 8.878 Acre tract is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap found at the Southwest corner of that certain 60.431 Acre tract of land conveyed from MARHABA PARTNERS LIMITED PARTNERSHIP to LASCO SPRING TRACE RETAIL PARTNERS, LTD. by a deed dated January 27, 2005 and recorded under Clerk's File No. Y220409, H.C.D.R., the Southwest corner of Restricted Reserve "A" of SPRING TRACE CENTER, according to the map or plat thereof recorded in Volume 606 Page 125, of the Map Records of Harris County, Texas, same being the Northwest Right-of-Way of the WEST LAKE HOUSTON PARKWAY (a 100 foot R.O.W. at this point);

THENCE, Southwesterly, along the Northwest Right-of-Way of said WEST LAKE HOUSTON PARKWAY, a distance of 216.59 feet along the arc of a curve to the left, said curve having a central angle of 06 deg. 03 min. 12 sec., radius of 2050.00 feet, a chord which bears South 55 deg. 06 min. 52 sec. West, and a chord distance 216.48 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Northwesterly, along the Northeast intersection of the Northwest Right-of-Way of said WEST LAKE HOUSTON PARKWAY and the Northeast Right-of-Way of WECKFORD BOULEVARD (a 60 foot R.O.W.), a distance of 38.61 feet along the arc of a curve to the right, said curve having a central angle of 88 deg. 28 min. 52 sec., radius of 25.00 feet, a chord which bears North 83 deg. 40 min. 18 sec. West, and a chord distance 34.88 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE North 39 deg. 25 min. 52 sec. West, along the Northeast Right-of-Way of said WECKFORD BOULEVARD, a distance of 44.19 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Northwesterly, along the Northeast Right-of-Way of said WECKFORD BOULEVARD, a distance of 545.14 feet along the arc of a curve to the left, said curve having a central angle of 30 deg. 19 min. 28 sec., a radius of 1030.00 feet, a chord which bears North 54 deg. 35 min. 36 sec. West, and a chord distance 538.80 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE North 69 deg. 45 min. 20 sec. West, along the Northeast Right-of-Way of said WECKFORD BOULEVARD, a distance of 37.24 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Northwesterly, along the Northeast Right-of-Way of said WECKFORD BOULEVARD, a distance of 112.39 feet along the arc of a curve to the left, said curve having a central angle of 02 deg. 30 min. 20 sec., a radius of 2570.00 feet, a chord which bears North 71 deg. 00 min. 30 sec. West, and a chord distance 112.38 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE North 20 deg. 14 min. 40 sec. East, along the East line of a 3.498 Acre Storm Drainage and Detention Pond Easement recorded under Clerk's File No. 20080595790, H.C.D.R., a distance of 582.67 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE South 49 deg. 55 min. 18 sec. East, along the Southwest line of said 60.431 Acre tract of land, same being the Southwest line of Restricted Reserve "A" of said SPRING TRACE CENTER, a distance of 688.79 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Southeasterly, along the Southwest line of said 60.431 Acre tract of land, same being the Southwest line of Restricted Reserve "A" of said SPRING TRACE CENTER, a distance of 195.65 feet along the arc of a curve to the right, said curve having a central angle of 05 deg. 41 min. 27 sec., a radius of 1969.78 feet, a chord which bears

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South 17 deg. 52 min. 08 sec. East, and a chord distance 195.56 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Southeasterly, along the Southwest line of said 60.431 Acre tract of land, same being the Southwest line of Restricted Reserve "A" of said SPRING TRACE CENTER, a distance of 151.58 feet along the arc of a curve to the right, said curve having a central angle of 04 deg. 03 min. 06 sec., a radius of 2143.58 feet, a chord which bears South 10 deg. 06 min. 05 sec. East, and a chord distance 151.55 feet to a 5/8 inch iron rod with a cap found at a point for corner;

THENCE, Southeasterly, along the Southwest line of said 60.431 Acre tract of land, same being the Southwest line of Restricted Reserve "A" of said SPRING TRACE CENTER, a distance of 44.01 feet along the arc of a curve to the right, said curve having a central angle of 01 deg. 21 min. 16 sec., a radius of 1861.77 feet, a chord which bears South 07 deg. 06 min. 15 sec. East, and a chord distance 44.01 feet to the POINT OF BEGINNING, containing within these calls 8.878 Acres or 386,740 Square Feet of land, as depicted on a plat prepared by Donald K. Hall, R.P.L.S. No. 4070, dated August 30, 2007.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.
THE STATE OF TEXAS
COUNTY OF HARRIS

I hereby certify that this instrument was FILED in the number 30227 on the date and at the place stamped herein by me; and was duly RECORDED, in the Official Public Records of said Property of Harris County, Texas on

DEC - 1 2009



Donna L. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

Donna L. Kayman
COUNTY CLERK
HARRIS COUNTY, TEXAS

2009 DEC -1 PM 1:48

FILED

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of the following: carbon or photocopy, discolored, faded, illegible, checkmarks, additions and changes were present at the time the instrument was filed and mounted.

0000-13-0800
RP